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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

TASH HEPTING, GREGORY HICKS, )  
 CAROLYN JEWEL and ERIK KNUTZEN, on )  
 Behalf of Themselves and All Others Similarly )  
 Situated, )  
 Plaintiffs, )  
 vs. )  
 AT&T CORP., et al. )  
 Defendants. )

No. C-06-00672-VRW

CLASS ACTION

[CORRECTED] DECLARATION OF ADAM  
 L. RUBINGER IN SUPPORT OF  
 PLAINTIFFS' OPPOSITION TO  
 DEFENDANT AT&T INC.'S MOTION TO  
 DISMISS AMENDED COMPLAINT

DATE: June 23, 2006  
 TIME: 9:30 a.m.  
 COURTROOM: Hon. Vaughn Walker

1 I, Adam L. Rubinger, hereby declare:

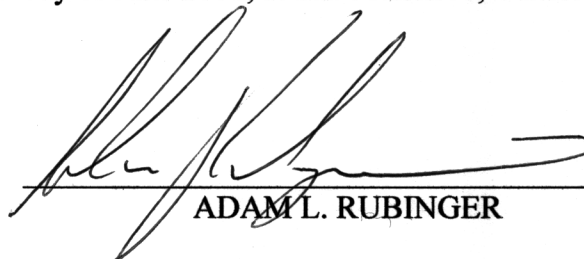
2 1. I am not a party to this action. I am of legal age and am a resident of California. I  
3 have personal knowledge of the matters stated in this declaration and if called upon to do so, I could  
4 and would competently testify thereto.

5 2. Attached hereto as Exhibit A is a true and correct copy of a web session I completed  
6 online, via a web browser, on May 12, 2006. I was in San Francisco, California when I conducted  
7 this web session. Exhibit A is the record of a successful attempt to place an order for AT&T  
8 residential DSL service.

9 3. My personal information has been redacted from the filed version of Exhibit A for  
10 privacy reasons. The Electronic Frontier Foundation has the unredacted version, and I may be  
11 reached through them.

12 4. I received no other information or communication from AT&T in the pursuit of  
13 placing this order for residential service.

14 I declare under penalty of perjury under the laws of the United States of America that the  
15 foregoing is true and correct. Executed this 5th day of June 2006, at San Francisco, California.

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18   
19 ADAM L. RUBINGER

20 W:\AT&T Privacy\DEC00031332\_Rubinger.DOC  
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1 CERTIFICATE OF SERVICE

2 I hereby certify that on June 6, 2006, I electronically filed the foregoing with the Clerk of the  
3 Court using the CM/ECF system which will send notification of such filing to the e-mail addresses  
4 denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the  
5 foregoing document or paper via the United States Postal Service to the non-CM/ECF participants  
6 indicated on the attached Manual Notice List.

7 /s/

8 MARIA V. MORRIS

9 LERACH COUGHLIN STOIA GELLER  
10 RUDMAN & ROBBINS LLP  
11 100 Pine, Suite 2600  
12 San Francisco, CA 94111  
13 Telephone: 415/288-4545  
14 415/288-4534 (fax)  
15 E-mail:mariam@lerachlaw.com

16 I, Maria V. Morris, am the ECF User whose ID and password are being used to file this  
17 [CORRECTED] DECLARATION OF ADAM L. RUBINGER IN SUPPORT OF PLAINTIFFS'  
18 OPPOSITION TO DEFENDANT AT&T INC.'S MOTION TO DISMISS AMENDED  
19 COMPLAINT. In compliance with General Order 45, X.B., I hereby attest that Adam L. Rubinger  
20 has concurred in this filing.

21 DATED: June 6, 2006

22 /s/

23 MARIA V. MORRIS

24 W:\AT&T Privacy\corrected\DEC00031332\_Rubinger.DOC  
25  
26  
27  
28

# Mailing Information for a Case 3:06-cv-00672-VRW

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## Manual Notice List

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